

In Re Stevens et al. (S.N. 09/368,989)
Amendment #2 in Response to April 24, 2001 O.A.
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[whereby the first antigen binding region is contiguous with] a first antigen non-binding region [of the first moiety]; and

b) a purified second moiety containing a second antigen-binding region bound to [and wherein the second antigen binding region is contiguous with] a second antigen non-binding region, whereby the moieties are engineered so as to be juxtaposed to each other in an unnatural configuration, and wherein the first moiety and second moiety are derived from the same gene.

REMARKS

Claims 10-14 and 21 are rejected per 35 U.S.C. 101 as being directed to nonstatutory subject matter. Per the Examiner's suggestion, independent claim 10 has been amended to recite "isolated" molecules. Withdrawal of the §101 rejection is hereby solicited.

Claims 10-14 and 21 are rejected under 35 U.S.C. §112, first paragraph for being non-enabling with regards to the antigen binding domains and antigen non-binding domains being "contiguous" with each other. Applicants have removed the "contiguous" language considered objectionable by the Examiner, and have inserted the "bound to" language suggested by the Examiner in the first official action. Withdrawal of the 35 U.S.C. §112 rejection is hereby solicited

Claims 10-14 and 21 are rejected under 35 U.S.C. §112, first paragraph for being non-enabling with regards to unnatural configuration constructs. However, the Examiner indicates on page 6, paragraph 11 in the instant Official Action that the specification is enabling for constructs "having complementary determining segments positioned at opposite ends" of a dimeric assembly. As such, the preamble of claim 10 has been amended to recite this limitation.

Claims 10-13 and 21 are rejected under 35 U.S.C. 102(a) as being anticipated by Pokkuluri et al (Structure, 15 August 1998, 6, pp 1067-1073). The inventor of the instant application has filed an antedating 37 CFR 1.131 affidavit stating that the instant application was reduced to practice at least as early as April 27, 1998. The affidavit